

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **CRUZ ALBERT SANTANA OTERO**
SSN xxx-xx-3431
GLORIBEL HERNANDEZ MOJICA
SSN xxx-xx-8908
Debtor(s)

CASE NO: **19-02940-ESL**

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **05/27/2019**

First Meeting Date: **07/10/2019 at 10:00AM**

Days From Petition Date: **44**

341 Meeting Date: **07/10/2019 at 10:00AM**

910 Days Before Petition: **11/28/2016**

Confirmation Hearing Date: **08/07/2019 at 2:00PM**

Chapter 13 Plan Date: **06/27/2019** ☐ Amended

Plan Base: **\$30,295.00** Plan Docket # **9**

This is Debtor(s) 2 Bankruptcy petition.

This is the 1st scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$150.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

☒ Examined ☐ Not Examined under Oath

Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): _____

☐ Pro-se

☐ Creditor(s) Present ☒ None

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$1,181.00** Outstanding (Through the Plan): **\$1,819.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: \$ _____

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 100 %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☐ CLOSED ☒ HELD OPEN FOR 21 DAYS

§341 Meeting Rescheduled for: _____

Comments:

*CREDITOR(S) ORAL OBJECTIONS [LBR 3015-2 (c)(4)]

-No objections

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor Mr. Santana has failed to submit evidence of income made during the 6 months period prior to the filing of the case. He started selling artisan pins about a month prior to filing bankruptcy. He did not have any other income for the six months prior to filing bankruptcy.

Debtors have failed to submit evidence of family help income.

[1325(a)(6)] Feasibility – Debtor(s) does not has/have the capacity to make proposed plan payments.

Debtors are not currently making mortgage payments. They are requesting loss mitigation. Plan must state that no disbursements will be made to BPPR regarding pre-petition mortgage arrears.

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

Debtors have failed to submit evidence of having filed 1040PR forms for years 2017-2018. The copies submitted are not stamped.

*OTHER COMMENTS / OBJECTIONS

NOTE: Debtors complied with Fed. R. Bank. P. 7004.

/s/ Jose R. Carrion, Esq. Meeting Date: Jul 10, 2019
Trustee

/s/ Alexandra Rodriguez, Esq., Presiding Officer